

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**Mark A. Roark**  
Plaintiff(s)

vs.

**CASE NUMBER: 5:23-cv-1237**

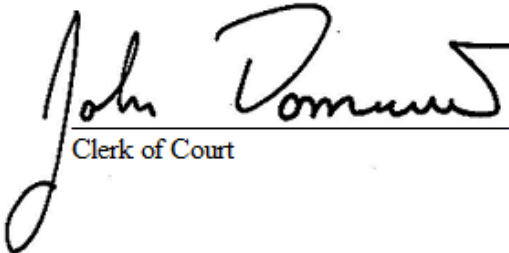
**Watertown Police Department  
and Samaritan Hospital**  
Defendant(s)

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: ORDER ON REPORT & RECOMMENDATION: ORDERED that 1. The Report & Recommendation (Dkt. No. 5) is ACCEPTED; 2. Plaintiffs complaint (Dkt. No. 1) is DISMISSED; 3. Plaintiffs claims against defendants The People of the State of New York and Watertown District Attorneys Office are DISMISSED without prejudice but without leave to amend for lack of subject matter jurisdiction; 4. Plaintiffs claims against defendants Watertown Police Department and Samaritan Hospital are DISMISSED with leave to amend; 5. Plaintiff shall have THIRTY DAYS in which to submit an amended complaint in accordance with the instructions set forth in Judge Lovric's R&R; 6. If plaintiff timely files an amended complaint, this matter shall be referred to Judge Lovric for further review or other action as appropriate; and 7. If plaintiff does not timely file an amended complaint, the Clerk of the Court is directed to close this matter without further Order of the Court.

All of the above pursuant to the order of the Honorable **David N. Hurd**, dated January 11, 2024.

DATED: February 14, 2024

  
Clerk of Court

s/Kathy Rogers  
Deputy Clerk